



DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MATERIEL COMMAND
5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333 - 0001

REPLY TO
ATTENTION OF

17 JUN 1999

AMCPE-C (690-600A)

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Personnel Issues Related to Tornadoes in Oklahoma and Kansas

1. References:

a. Memorandum, Office of the Assistant Secretary of Defense, 14 May 99, SAB (enclosure 1).

b. Memorandum, U.S. Office of Personnel Management, 6 May 99, subject: Tornadoes in Oklahoma and Kansas (enclosure 2)

c. Memorandum, The White House, 6 May 99, subject: Assistance for Federal Employees Affected by the Tornadoes in Oklahoma and Kansas (enclosure 3).

2. The enclosed policy guidance was based on a memorandum (also enclosed) signed by President Clinton to the Heads of Executive Departments and Agencies concerning excused absence, emergency leave, and premium pay for employees who perform emergency work as a result of the destruction caused by the tornadoes. Specifically, the President's memorandum requests excused absence without charge to leave or loss of pay for employees who are prevented from reporting to work because of the catastrophe. The memorandum also applies to employees who are needed for emergency law enforcement, relief work or clean-up efforts authorized by Federal, state, or other appropriate authorities. The memorandum, however, does not apply to Federal employees who have been solicited to assist in their roles as members of the National Guard or Reserves; instead, military leave authorized by 5 U.S. Code 6323(b) applies.

3. In addition to the above, premium pay and donated annual leave may be provided to affected employees in accordance with

AMCPE-C

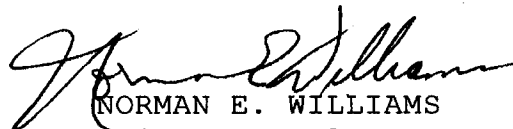
SUBJECT: Personnel Issues Related to Tornadoes in Oklahoma and
Kansas

the enclosed OPM policy guidance, as locally determined.

4. AMC -- Your Readiness Command . . . Serving Soldiers
Proudly!

FOR THE COMMANDER:

3 Encls
as



NORMAN E. WILLIAMS
Major General, USA
Chief of Staff

DISTRIBUTION:

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AMCPE-I-O

AMCPE-F



FORCE MANAGEMENT
POLICY

ASSISTANT SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000



MAY 14 1999

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN, JOINT CHIEFS OF STAFF
DIRECTOR, ADMINISTRATION & MANAGEMENT
DIRECTORS OF THE DEFENSE AGENCIES
MEMBERS, DEFENSE PARTNERSHIP COUNCIL

SUBJECT: Personnel Issues Related to Tornadoes in Oklahoma and Kansas

By memorandum dated May 6, 1999, President Clinton expressed his concern about the devastating losses suffered as a result of the tornadoes in Oklahoma and Kansas. He requested that employees in the affected areas who are prevented from reporting to work or faced with a personal emergency because of the tornadoes and who can be spared from usual responsibilities be excused without charge to leave or loss of pay. His request also applies to employees who are needed for emergency law enforcement, relief, or clean-up efforts authorized by Federal, State, or other officials having jurisdiction. You are reminded that you may excuse employees for extended periods based on criteria contained in DoD 1400.25-M, DoD Civilian Personnel Manual, Subchapter 610, Hours of Duty.

The attached memorandum from the Director, Office of Personnel Management (OPM), provides guidance on excused absence, premium pay for employees performing emergency work, and the emergency leave transfer program. As indicated by OPM, agencies with employees affected by natural disasters are in the best position to administer the emergency leave transfer program and to quickly facilitate the transfer of donated leave. Therefore, addressees are authorized to administer emergency leave transfer programs. This authority may be redelegated to appropriate levels consistent with existing leave administration policy. When donated leave is not adequate to meet identified needs the Civilian Personnel Management Service will assist in facilitating leave donations.

In addition, under authority delegated to me, I have determined that, effective May 3, 1999, these situations meet the emergency criteria within the meaning of title 5 United States Code (U.S.C.) 5547(b). Therefore, effective at the beginning of the first pay period including May 3, 1999, employees performing work directly related to the tornadoes in Oklahoma and Kansas or their aftermath are paid under the annual limitation defined in 5 CFR 550.106. Law enforcement officers covered by the biweekly limitation in 5 U.S.C. 5547(c), are not affected by this authority. This limit will apply for the duration of the emergency or until otherwise notified.

Francis M. Rush, Jr.
Acting Assistant Secretary

Attachment:
As stated



ENCLOSURE



U.S. Office of Personnel Management

May 6, 1999

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

**FROM: JANICE R. LACHANCE
DIRECTOR**

SUBJECT: Tornadoes in Oklahoma and Kansas

The following information is intended to bring you up to date on recent actions taken in response to the destruction caused by tornadoes in Oklahoma and Kansas and their aftermath.

Excused Absence

Emergency Leave Transfer Program

Premium Pay for Employees Performing Emergency Work

Excused Absence

President Clinton has signed a memorandum requesting that employees who are prevented from reporting to work or faced with a personal emergency because of the tornadoes in Oklahoma and Kansas and their aftermath and who can be spared from their usual responsibilities be excused from duty without charge to leave or loss of pay. This request also applies to employees who are needed for emergency law enforcement, relief, or clean-up efforts authorized by Federal, State, or other officials having jurisdiction. This does not apply to Federal employee members of the National Guard or Reserves who are called up to assist. Military leave under 5 U.S.C. 6323(b) is appropriate for those employees. A copy of the President's memorandum is provided at attachment 1.

Emergency Leave Transfer Program

In addition, the President has directed OPM to establish an emergency leave transfer program to assist employees affected by this major disaster. An emergency leave transfer program would permit employees in an executive agency to donate unused annual leave for transfer to employees of the same or other agencies who are adversely affected by the tornadoes in Oklahoma and Kansas and who need additional time off from work without having to use their own paid leave.

The emergency leave transfer program is authorized under 5 U.S.C. 6391 and is separate from the Federal leave sharing program established under 5 U.S.C. 6332 and 6362. Under the emergency leave transfer program, the use of donated leave is not restricted to medical emergencies, and approved leave recipients are not required to exhaust their own accrued and accumulated annual and sick leave before using donated annual leave. Employees may use leave donated under the emergency leave transfer program for personal needs or to care for a "family member" (as that term is defined in 5 CFR 630.902) who was affected by the tornadoes. In addition, donated leave may be substituted retroactively (beginning no earlier than the date of the emergency) for any period of leave without pay used as a result of the emergency or to liquidate an indebtedness incurred by an employee for

advanced annual or sick leave used as a result of the emergency.

We believe the agencies with employees affected by the tornadoes in Oklahoma and Kansas are in the best position to determine whether, and how much, donated annual leave is needed by their employees and to quickly facilitate the transfer of donated annual leave within their agencies. Therefore, in response to the President's directive, we are authorizing the affected agencies to do the following:

- (1) Determine whether, and how much, donated annual leave is needed by affected employees;
- (2) As appropriate, approve leave donors and/or leave recipients in their agencies;
- (3) Facilitate the distribution of donated annual leave from approved leave donors to approved leave recipients within their agencies.

Since most affected employees will be granted excused absence for the immediate emergency, the emergency leave transfer program will be in place to assist approved leave recipients as the need for donated leave becomes known. When a Federal agency notifies OPM that the amount of annual leave donated by its employees is not sufficient to meet the needs of its approved leave recipients, OPM will coordinate a Governmentwide transfer of donated annual leave from leave donors to leave recipients. We will provide agencies with additional guidance to facilitate the transfer of donated leave to the appropriate Federal agencies for transfer to approved leave recipients.

Premium Pay for Employees Performing Emergency Work

Agencies are reminded of their authority under the law (5 U.S.C. 5547(b)) and OPM regulations (5 CFR 550.106) to make exceptions to the biweekly premium pay limitation. When the head of an agency or his or her designee determines that an emergency posing a direct threat to life or property exists, an employee who is performing work in connection with the emergency *must be paid* premium pay under the *annual* limitation of GS-15, step 10, rather than the GS-15, step 10, biweekly limitation.

We encourage agencies to exercise this authority in the case of any employee who performs emergency work in connection with the tornadoes in Oklahoma and Kansas and their aftermath. Agency heads are required to make the determination as soon as practicable and to make entitlement to premium pay under the annual limitation effective as of the first day of the pay period in which the emergency began. (Law enforcement officers continue to be covered by a separate biweekly limitation at 5 CFR 550.107.)

Questions may be referred to OPM's Pay and Leave Administration Division on (202) 606-2858 or by email at payleave@opm.gov.

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- To President Clinton's Memorandum on Assistance for Federal Employees Affected by the Tornadoes in Oklahoma and Kansas
 - To Compensation Administration Home Page
 - To Web Site Index
 - To OPM Home Page

THE WHITE HOUSE

WASHINGTON

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May 6, 1999

REC
WHITE HOUSE LIAISON

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Assistance for Federal Employees Affected
by the Tornadoes in Oklahoma and Kansas

I am deeply concerned about the devastating losses suffered by many as a result of the tornadoes in Oklahoma and Kansas. Multiple parts of the Federal Government have been mobilized to respond to this disaster.

As part of this effort, I ask the heads of executive departments and agencies who have Federal civilian employees in designated disaster areas resulting from the tornadoes in Oklahoma and Kansas and their aftermath to use discretion to excuse from duty, without charge to leave or loss of pay, any such employee who is prevented from reporting for work or faced with a personal emergency because of this disaster and who can be spared from his or her usual responsibilities. This policy also should be applied to any employee who is needed for emergency law enforcement, relief, or clean-up efforts authorized by Federal, State, or other officials having jurisdiction.

I am also directing the Office of Personnel Management (OPM) to establish an emergency leave transfer program, which would permit employees in an executive agency to donate their unused annual leave for transfer to employees of the same or other agencies who were adversely affected by the tornadoes and who need additional time off for recovery. In addition, I am directing OPM to provide additional information and assistance to agencies on the program's administration.

William J. Clinton

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